MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 2, 2018/2019

BIR2884 – INDUSTRIAL RELATIONS

(Distance Education)

4 March 2019
2.30 p.m. – 4.30 p.m.
(2 hours)

INSTRUCTIONS TO STUDENT:

1. This Question paper consists of two (2) printed pages including the cover page.
2. Answer **ALL FOUR (4)** questions.
3. Please write all your answers in the Answer Booklet provided.
4. You must support your answer with case law and statutory provisions, where necessary.

QUESTION 1

(a) What is a "conciliation' under trade dispute and the processes involved leading to the Industrial Court?

(10 marks)

(b) The Trade Union of Limousine Drivers seek your advice on collective bargaining as they wish to enter into a collective agreement with their employer, Luxury Drive Sdn. Bhd. Explain to them what collective agreement is and any three (3) pre-requisites that they need to fulfill before they can enter the process of bargaining.

(15 marks)
TOTAL: 25 MARKS

QUESTION 2

Describe comprehensively the differences between a contract of service and a contract for service. Explain why such a distinction is necessary and support your answer with cases where necessary.

(25 marks)

QUESTION 3

Ricky has been working with World Travel Sdn. Bhd. as its travel agency manager for 10 years. Ricky is accused of misappropriating RM15,000.00 from the company and a domestic inquiry is empanelled to hear the charges of the alleged misconduct. The domestic inquiry panel is headed by Ryan, who is Ricky's assistant manager and who will take over Ricky's position should Ricky leave the company. Ricky goes to the inquiry and finds out that the inquiry was brought forward. No notice was given to him and that the proceedings took place in his absence. The domestic inquiry found out Ricky guilty of misconduct and recommended dismissal. Advise Ricky.

(25 marks)

QUESTION 4

Write short notes on the following: -

(a) Jurisdiction of the Industrial Court (10 marks)

(b) *Metromix Sdn. Bhd. v. Ong Keong Hee (Award 10 of 1995)* (15 marks)
TOTAL: 25 MARKS

TOTAL: 100 Marks

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